

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MICHAEL J. DAVIS, ELENA LOMBARDO, CAROL
SMITH, ANDREW WHALEN
and all others similarly situated,

Plaintiffs,

versus

JPMORGAN CHASE & CO.,
JPMORGAN CHASE BANK,
CHASE MANHATTAN MORTGAGE
CORPORATION,

Defendants.

AFFIRMATION

Civil Action No.
01-CV-6492L

Sylvia Kraus-Lewicka, being duly sworn, deposes and says:

1. I am a paralegal at the law firm of Thomas & Solomon LLP. This law firm represents the plaintiffs in the above-captioned action.

2. I am fully familiar with the facts and circumstances surrounding this matter, and I submit this affirmation in support of plaintiffs' Motion For Expedited Notice to Affected Employees.

Plaintiffs Use Of Plaintiff's and Class Member's Social Security Numbers

3. Pursuant to their motion, plaintiffs have requested the last four digits of putative class members' social security numbers.

4. The specific reason for this request is to aid plaintiffs' counsel in locating current and accurate addresses for putative plaintiffs when that the court notice sent to them is returned as undeliverable.

5. These notices are returned undeliverable to plaintiffs' counsel for multiple reasons, including putative plaintiffs who have moved, plaintiffs who have changed their name, etc.

6. In plaintiffs' counsel's experience, proper contact information for putative plaintiffs often cannot be located without this vital piece of information.

7. Plaintiffs' counsel does not dispute the sensitive nature of the social security numbers and will take all necessary precautions to ensure the privacy of this confidential information.

8. First, requesting only the last four digits of the social security number as opposed to the entire social security number will help protect privacy interests.


9. Second, plaintiffs' counsel will only use the last four digits of the social security number for the limited purpose of locating current addresses for putative plaintiffs so that they are given an opportunity to review this Court's notice.

10. Finally, plaintiffs' counsel will destroy the last four digits of putative class members' social security numbers once the Court-ordered notices have been sent.

11. Because class members' social security numbers will be protected and only used for a limited purpose, potential privacy concerns are outweighed by the need to provide notice to potential class members.

I affirm under penalty of perjury that the foregoing is true and correct.

Executed on April 8, 2010.


Sylvia Kraus-Lewicka